

Appl. No. : 10/613,976
Filed : July 2, 2003

REMARKS

In response to the Office Action dated April 16, 2007 (the “Office Action”), Applicant submits the foregoing amendments and following remarks. As indicated in the foregoing amendments, Claims 1, 10 and 53-65 are canceled, and Claims 2, 6-9, 11-15, 17-19 are amended. As a result of the claim amendments, Applicant respectfully asserts pending Claims 2-9, 11-43 are now in condition for allowance, as described in further detail below.

Information Disclosure Statement

The Office Action indicated that on an IDS submitted on November 3, 2003, the reference to U.S. Pat. No. 3,962,765 didn’t correspond to the given name (Haddad) and had nothing to do with the technology of the instant invention; the Office Action further indicated the reference to U.S. Pat. No. 4,592,824 (to Gregory) did not have an inventor by that name.

The correct reference for the first mentioned patent is U.S. Pat. No. 3,926,765 issued to Haddad. The correct reference for the second mentioned patent is U.S. Pat. No. 4,592,823 issued to Gregory. The ‘765 and ‘823 patents are cited on related applications, e.g., U.S. Pat. Nos. 7,025,871 and 6,599,409. An IDS citing the correct patent references is filed herewith this response. Applicant apologizes for any confusion that resulted in these clerical error.

Specification

The Examiner objected to the disclosure because of four blank spaces in paragraph one of the specification, and required correction. The foregoing **Amendments to the Specification** adds the required information. Accordingly, Applicant respectfully requests all the objections to the specification be withdrawn.

Allowable Subject Matter and Claim Amendments

In the Office Action, the Examiner stated Claims 20-43 are allowed and Claim 13 is objected to as being dependent upon rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As shown in the **Amendments to the Claims**, Claim 13 was rewritten in independent form and now includes all of the limitations of the base claim (Claim 1) and any intervening

Appl. No. : 10/613,976
Filed : July 2, 2003

claims. Accordingly, Applicant respectfully submits that rewritten Claim 13 is now in condition for allowance. Claims 2, 6-9 11, 12, 14, 15, 17, 18 were amended to depend from amended Claim 13. As a result of these amending Claims 2, 15, and 18, Claims 3-5, 16 and 19 now depend indirectly from Claim 13. Because Claims 2, 6-9 11, 12, 14, 15, 17, and 18 depend directly from Claim 13, and Claims 3-5, 16 and 19 depend indirectly from Claim 13, Applicant also respectfully submits that Claims 2-9, 11, 12, and 14-19 are also in condition for allowance for at least the same reason as Claim 13.

Nonstatutory Obviousness-type Double Patenting

The Examiner rejected the following claims on the grounds of nonstatutory obviousness-type double patenting: Claims 1-12 and 15-19 as being unpatentable over claims 1-16 of U.S. Patent No. 6,616,821 (“patent ‘821”) in view of any of Nipkow et al. (USP 5,470,453) or Jerold-Jones (USP 3,793,176); Claims 1-12 and 14-19 as being unpatentable over claims 1-16 of U.S. Patent No. 6,599,409 (“patent ‘409) in view of any of Nipkow et al. (USP 5,470,453) or Jerold-Jones (USP 3,793,176); Claims 53-62, and 63 as being unpatentable over Claims 1, 3, 4, 8, and 9 of patent ‘821 or Claims 1, 3-5, and 9 of patent ‘409 in view of Haynes et al (USP 4,886,505); Claims 60 and 61 as being unpatentable over patents ‘821 and ‘409 in view of Haynes as applied to Claim 53 and in view of Sarangapani (USP 6,165,366); and Claims 64 and 65 as being unpatentable over patents ‘821 and ‘409 in view of Haynes as applied to Claim 53 and in view of Ross et. Al (USP 4,708,776).

As described above, Claim 1 is canceled, and Claims 2-9, 11, 12, and 14-19 now depend directly or indirectly from Claim 13, which is allowable as amended. Claims 53-63 are canceled. Accordingly, Applicant respectfully asserts that the above-listed nonstatutory obviousness-type double patenting rejections are now moot with respect to the pending claims. Applicant reserves the right to pursue any canceled claims in a continuation application.

CONCLUSION

The applicant has endeavored to address all of the Examiner’s concerns as expressed in the outstanding Office Action. Accordingly, amendments to the claims and arguments in support of the patentability of the pending claim set are presented above. In light of these amendments

Appl. No. : 10/613,976
Filed : July 2, 2003

and remarks, reconsideration and withdrawal of the outstanding rejections is respectfully requested.

Any claim amendments which are not specifically discussed in the above remarks are not made for patentability purposes, and it is believed that the claims would satisfy the statutory requirements for patentability without the entry of such amendments. Rather, these amendments have only been made to increase claim readability, to improve grammar, and to reduce the time and effort required of those in the art to clearly understand the scope of the claim language. Furthermore, any new claims presented above are of course intended to avoid the prior art, but are not intended as replacements or substitutes of any cancelled claims. They are simply additional specific statements of inventive concepts described in the application as originally filed.

If the Examiner has any questions which may be answered by telephone, he is invited to call the undersigned at (619) 687-8610.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: July 16, 2007

By:


Gregory A. Hermanson
Registration No. 53,018
Attorney of Record
Customer No. 20,995
(619) 235-8550

3992714
071007